

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

INTERNATIONAL UNION OF	§	
OPERATING ENGINEERS 450,	§	
AFL-CIO, ET AL.	§	
	§	
VS.	§	CIVIL ACTION NO. G-10-156
	§	
RONALD WITT and ANITA WITT	§	

ORDER

On July 10, 2014, this Court convened a Hearing on discovery disputes that had arisen in this case. After conferring with counsel of record, the Court is of the opinion that the following Orders are appropriate.

It is **ORDERED** that the Defendants' Motion to Strike Requests for Admissions and for Protective Order (Instrument no. 57) is **GRANTED**; Defendants need not respond to the requests. Cf. Pittsburgh Hotels Ass'n, Inc. v. Urban Redevelopment Authority, 29 F.R.D. 512, 513 (W.D. Pa. 1962)

It is further **ORDERED** that Plaintiffs' Cross Motion to Compel Discovery Responses (Instrument no. 59) is **DENIED**, without prejudice to being reasserted, in pertinent parts, without refiling, if and when necessary.

Upon representation of counsel that all of Defendants' documents have been produced, it is further **ORDERED** that Defendants **SHALL**, on or before July 25, 2014, serve upon Plaintiffs a response to Plaintiffs' Requests for Production stating, under oath, that they

possess no further responsive documents; no additional responsive documents will be allowed to be utilized or offered by Defendants without the Court's prior approval.

It is further **ORDERED** that Defendants **SHALL**, on or before July 25, 2014, identify all witnesses they will call at trial, if trial becomes necessary.

Since it now appears that the statutes of limitation have expired and that the Defendants are no longer in jeopardy of being criminally prosecuted for any actions made the basis of this civil action, it is further **ORDERED** that Plaintiffs **SHALL** be **PERMITTED** to depose Defendants, at the Federal Courthouse, on a mutually acceptable date; Plaintiffs **SHALL** depose Defendant Ronald Witt first and then, if desired, Defendant Anita Witt.

It is further **ORDERED** that following the completion of the depositions of the Defendants, the Court **WILL** set a Scheduling Conference to discuss further proceedings in this matter.

DONE at Galveston, Texas, this 15th day of July, 2014.



John R. Froeschner
United States Magistrate Judge